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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0845 CRB
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	PROTECTIVE ORDER REGARDING
v.)	DISCOVERY AS TO DEFENDANT
)	PATRICIA MORGEN
PATRICIA MORGEN and MICHAEL)	
WARE,)	
)	
Defendants.)	
)	

The United States, through its counsel of record, and defendant Patricia Morgen, through her counsel of record, hereby agree and stipulate that the government will provide discovery on the following conditions:

1. Protected Material

In light of the scope of discovery in this case (which is expected to exceed 200 boxes), and the fact that much of that discovery will include personal information of nearly 500 victims, all discovery produced in this matter shall be deemed Protected Material. Possession of copies of the Protected Material is limited to Defendant Morgen, her attorneys of record, and

1 investigators, paralegals, law clerks, experts and assistants for his attorneys of record (hereinafter
2 collectively referred to as "members of the defense team").

3 Defendant Morgen, her attorneys of record, and members of the defense team
4 acknowledge that providing copies of the Protected Material to other persons is prohibited, and
5 agree not to duplicate or provide copies of the Protected Material to other persons. Defendant
6 Morgen, her attorneys of record, and members of the defense team may show Protected Material
7 to witnesses or prospective witnesses in conjunction with their defense of Defendant Morgen in
8 this case. Defendant Morgen, her attorneys of record, and members of the defense team further
9 acknowledge that they are prohibited from using the Protected Material for any purpose other
10 than defending Defendant Morgen in the above-captioned matter. Any violation of these
11 prohibitions constitutes a violation of the Protective Order. Further, the attorneys of record agree
12 that prior to disseminating any copies of the Protected Material to members of the defense team,
13 they will provide a copy of this Protective Order to members of the defense team.

14 Notwithstanding reasonable efforts taken by the government to redact personal
15 information of witnesses from the discovery provided to the defense (such as date of birth, social
16 security numbers, addresses, phone numbers, etc., of witnesses), defense counsel, Defendant
17 Morgen and members of the defense team agree that, should any such information be found
18 during their review of this material, they will not provide that personal information in any form –
19 whether in verbal, written or electronic format – to any third party, for any reason whatsoever.

20 2 Nontermination

21 The provisions of this Order shall not terminate at the conclusion of this
22 prosecution but only upon further order of this Court. Within 30 days of a verdict or guilty plea,
23 Defendant Morgen's attorneys of record shall submit to the Court a Declaration stating that all
24 Protected Material in its files will be stored and maintained at a location and in a secure manner
25 that ensures that access is limited to the persons authorized under this Order. Specifically, the
26 Declaration shall state that Morgen's attorneys of record will ensure that (a) with respect to
27 Protected Material in electronic format, such Material will be stored only on disks in sealed
28 envelopes with this Protective Order affixed thereto; and (b) with respect to Protected Material in

1 hard copy format, such Material will be stored in sealed envelopes, redwelds, or boxes with this
2 Protective Order affixed thereto.

3 SO STIPULATED.

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5 DATED: August 3, 2009

/s

TRACIE L. BROWN
JEFFREY R. FINIGAN
Assistant United States Attorneys

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10 DATED: August 3, 2009

/s

JOHN J. JORDAN
Counsel for Defendant PATRICIA MORGEN

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15 **ORDER**

16
17 IT IS SO ORDERED.

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20 DATED: 08/04/09

21 THE HON. CHARLES R. BREYER
United States District Judge

